



Washington State
Department of Ecology
Spill Prevention, Preparedness, and Response Program
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Proof of Financial Responsibility

Chapter 173-187 WAC

Definitions

Owner or operator means: in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; in the case of an onshore or offshore facility, any person owning or operating the facility; and in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

Instructions

Application Timeline: Ecology will review and issue a Washington COFR within 30 calendar days of receiving a complete application, which must include all required evidence of financial responsibility.

Renewal Timeline: Washington COFRs are valid for two years from the date of issue. Renewal applications must be submitted at least 30 calendar days, but no more than 90 calendar days, before the current Washington COFR expires. Ecology will review and issue a new Washington COFR within 30 calendar days of receiving a complete application.

The application is hosted through SecureAccess Washington (SAW). Submit completed Washington Certificate of Financial Responsibility (COFR) applications through the Ecology COFR online application. This is a link to the SAW COFR application, [SAW COFR application](#).

Setting Up an Account through SAW

Before you can enter or view COFR Application, you must set up an account with SAW.

The SAW is an application gateway created by Washington Technology Solutions (WaTech) to simplify access to state government services accessible via the internet. Once you have registered and activated an account with this system, COFR Application Submitters can enter information into the application.

Best Practices for Setting Up SAW Accounts:

Best practices for setting up a SAW account for the COFR application are the same, regardless of whether a single person or multiple people will be accessing the account:

- Create a single SAW account that is specific for accessing the COFR application.
- Create a SAW user ID and SAW contact email that is not specific to one person.
 - SAW user ID: CompanyOffice email: office@company.com
- Keep login information secure and only share with authorized personnel.
- Change SAW account password when an employee who accessed the SAW COFR account leaves the organization. If the email address attached to the SAW COFR account becomes invalid, you must deactivate that SAW account and create a new one. While it is not a best practice, it is possible to access COFR through a personal SAW account. If you do access the COFR application through a personal SAW account do not share your login information with anyone.

Special accommodations: To request ADA accommodation, contact Ecology by phone at (360) 407-6831 or email at ecyadacoordinator@ecy.wa.gov. For TTY or Washington Relay Service, call 711 or 877-833-6341. Visit Ecology's website at <https://ecology.wa.gov/accessibility> for more information.

Setting Up SAW Accounts:

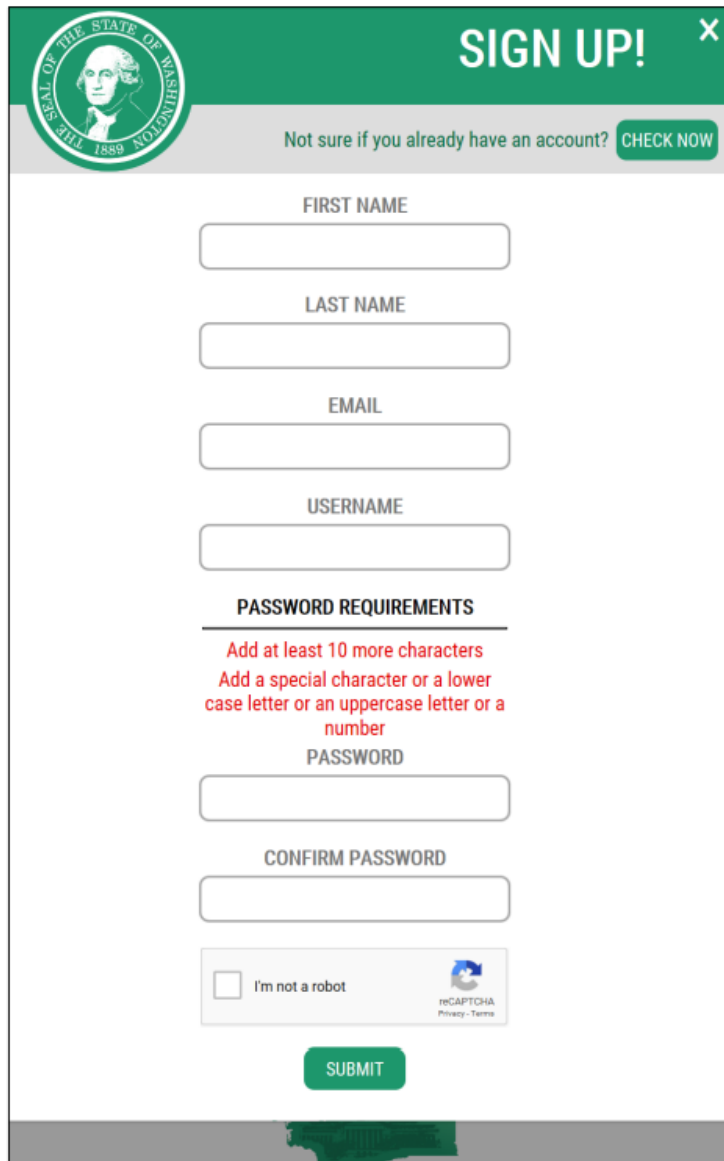
Open your browser and go to: <https://secureaccess.wa.gov/>. This screen will appear:



The screenshot shows the Washington State SecureAccess login page. The header is green with the Washington State Seal on the left and the text "WELCOME to your login for Washington state." on the right. Below the header is a navigation bar with the "SecureAccess Washington" logo and three buttons: "SIGN UP!", "GET HELP", and "TIPS ON". The main content area is white and divided into two sections. The left section is titled "LOGIN" and contains a "USERNAME" field, a "PASSWORD" field, a "SUBMIT" button, and links for "Forgot your username?" and "Forgot your password?". The right section is titled "ON BEHALF OF" and features a graphic of the Washington State Capitol building with the text "WASHINGTON STATE AGENCIES" overlaid.

Do not login. Click **"Sign Up!"**

Step 1: Enter your login credentials to be used



The form is titled "SIGN UP!" in a green header bar. On the left is the Seal of the State of Washington. To the right of the seal is a link: "Not sure if you already have an account? CHECK NOW". The form contains the following fields and elements:

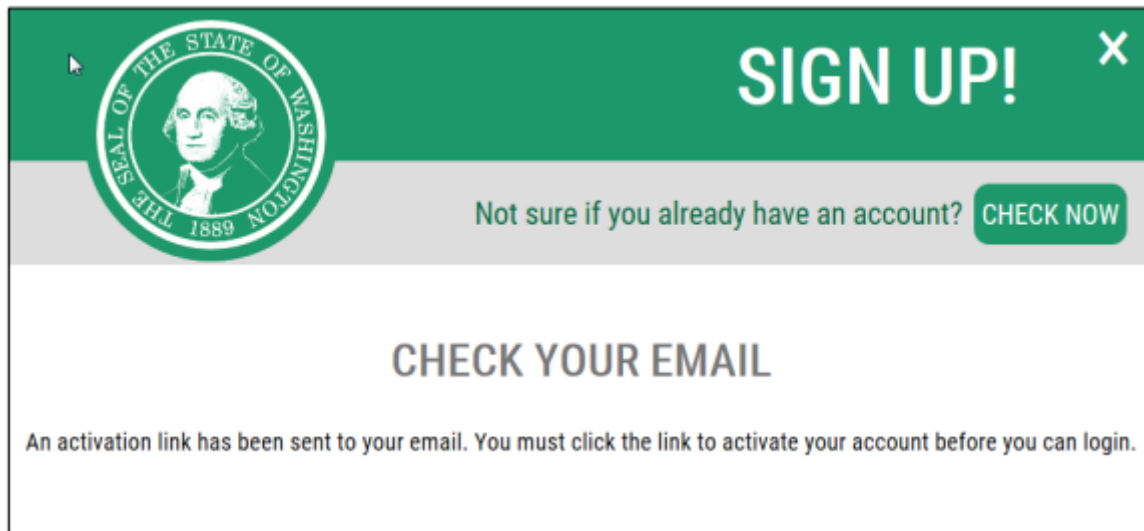
- FIRST NAME: Text input field
- LAST NAME: Text input field
- EMAIL: Text input field
- USERNAME: Text input field
- PASSWORD REQUIREMENTS: Section with red text instructions:
 - Add at least 10 more characters
 - Add a special character or a lower case letter or an uppercase letter or a number
- PASSWORD: Text input field
- CONFIRM PASSWORD: Text input field
- I'm not a robot: Checkbox with a reCAPTCHA logo and "reCAPTCHA Privacy - Terms" link.
- SUBMIT: Green button

Complete the fields above. Enter the User Name of your choice. If multiple users at the same location will be entering data, you may enter a User ID and password that is common to all.

Check the "I'm not a robot" checkbox and answer the validation questions.

Click "Submit."

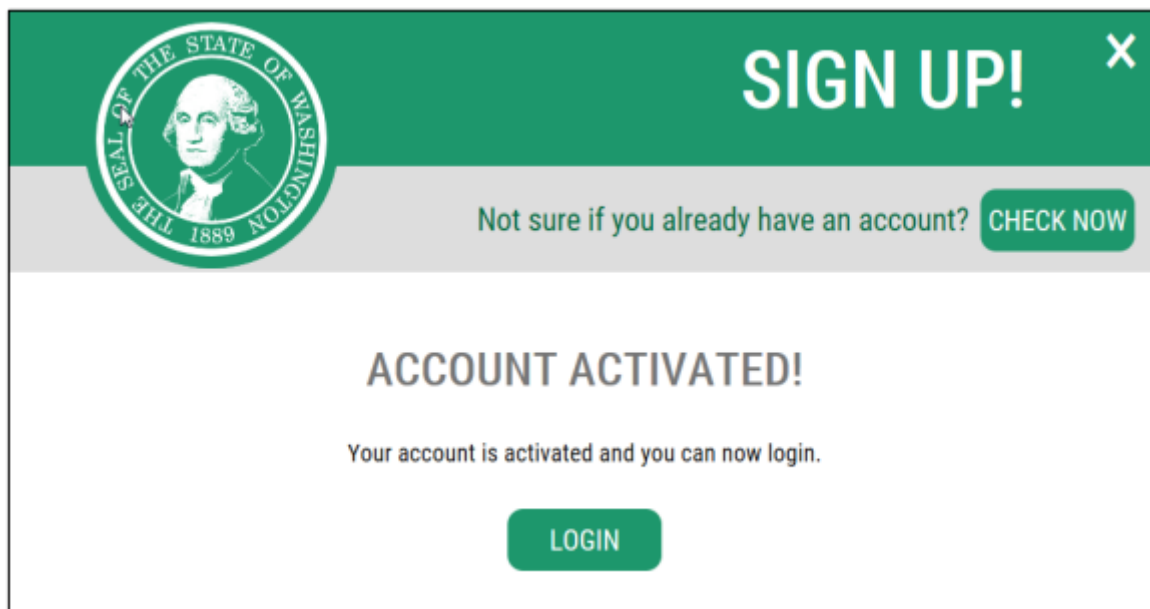
Step 2: You will receive this notification on your browser.



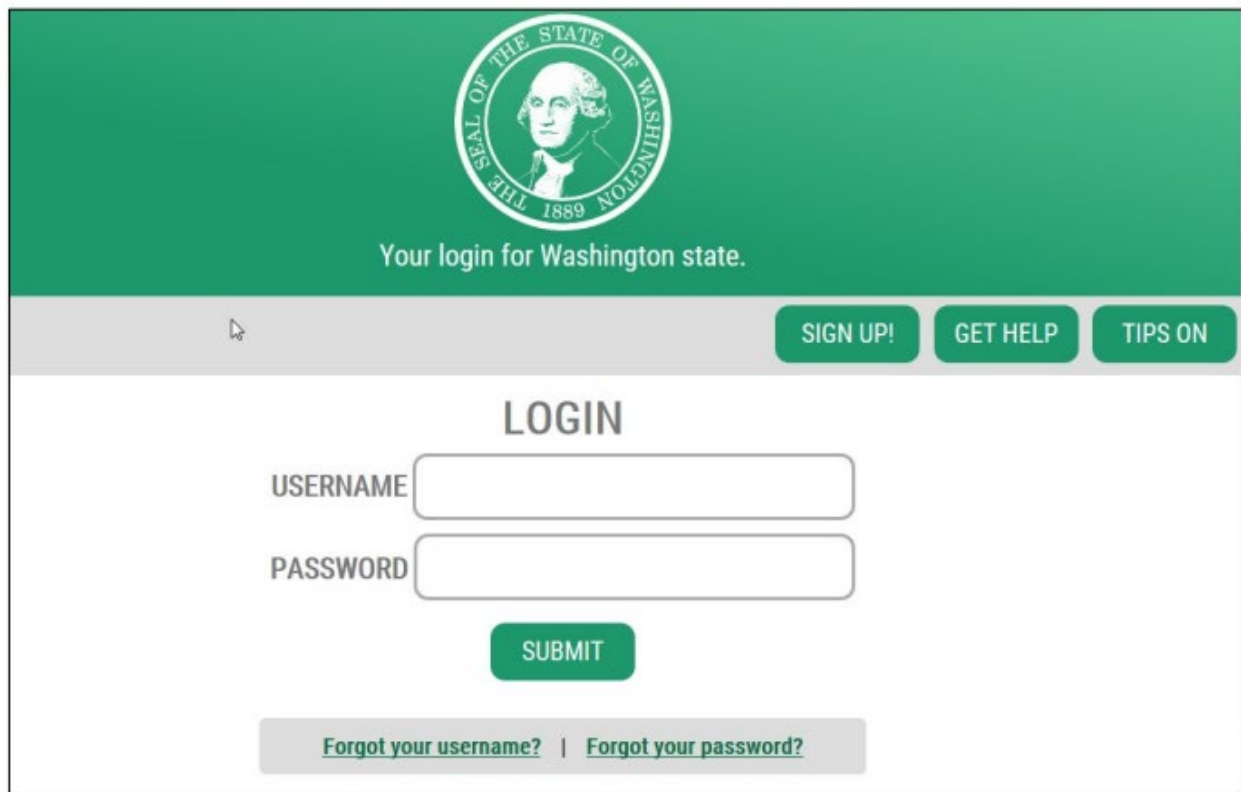
Check the email account that you entered in Step 1 for instructions on activating your COFR account. Open the email message from "SecureAccess," and click the activation link contained in the email.

Step 3: Login to your account.

You will receive this notification in your browser. Click "Login."



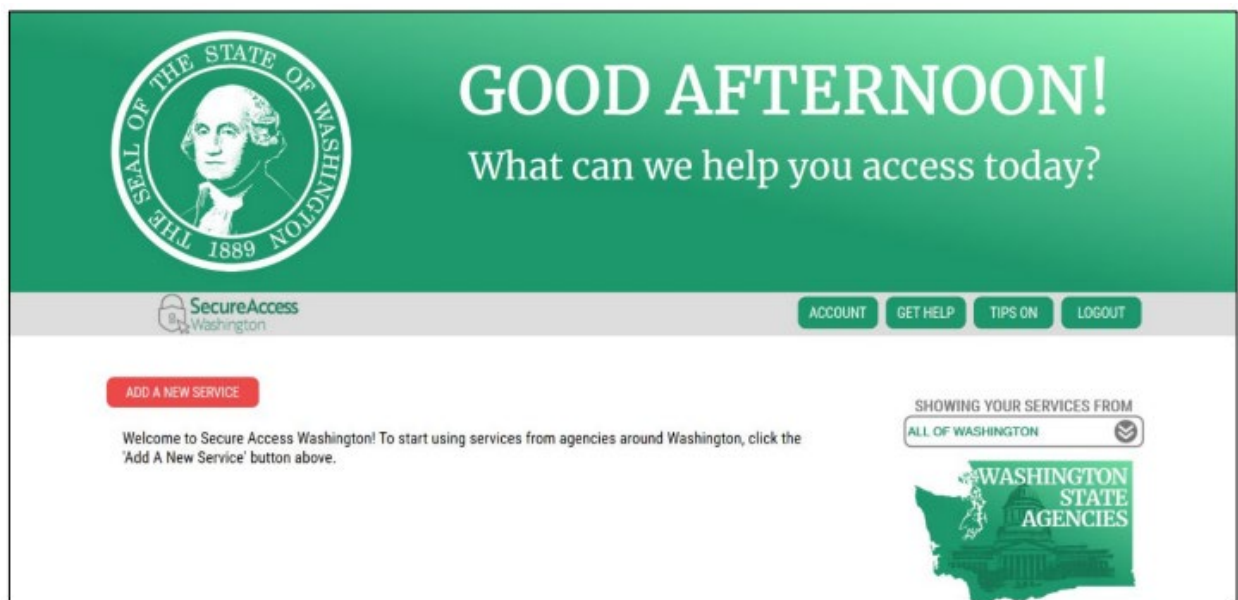
Next, you will see this screen. Enter the username and password you entered in Step 1 and click “Submit.”



The screenshot shows the Washington State login interface. At the top, there is a green header with the Seal of the State of Washington and the text "Your login for Washington state." Below the header is a navigation bar with three buttons: "SIGN UP!", "GET HELP", and "TIPS ON". The main content area is white and features the word "LOGIN" in large, bold, black letters. Below "LOGIN" are two input fields: "USERNAME" and "PASSWORD". Below the input fields is a green "SUBMIT" button. At the bottom of the form, there are two links: "Forgot your username?" and "Forgot your password?".

Step 4: Register for access to the COFR system.

After logging in, you will see this screen. Click “Add a new service.”




The screenshot shows the Washington State SecureAccess dashboard. At the top, there is a green header with the Seal of the State of Washington and the text "GOOD AFTERNOON! What can we help you access today?". Below the header is a navigation bar with four buttons: "ACCOUNT", "GET HELP", "TIPS ON", and "LOGOUT". The main content area is white and features a red "ADD A NEW SERVICE" button. Below the button, there is a welcome message: "Welcome to Secure Access Washington! To start using services from agencies around Washington, click the 'Add A New Service' button above." To the right of the welcome message, there is a dropdown menu labeled "SHOWING YOUR SERVICES FROM" with "ALL OF WASHINGTON" selected. Below the dropdown menu is a logo for "WASHINGTON STATE AGENCIES" featuring a map of Washington state.


Select **“I would like to browse a list of services by agency.”**

ADD A NEW SERVICE

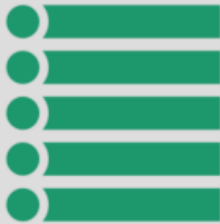
I have been given a code by an agency.



I would like to browse a list of services by name.




I would like to browse a list of services by agency.



Select **“Department of Ecology.”** Then on the next screen, select **“Apply”** next to the Certificate of Financial Responsibility Submissions.

SERVICES FROM ECY



ADVANCE NOTICE OF OIL TRANSFER

Apply

The ANT system is a web-based application that will capture and administer Advance Notices of Oil Transfer, required by a rule presently under development, which are submitted by oil transferring activities by any facilities or vessels.

AIR QUALITY APPLICATION PORTAL ▮ DEV

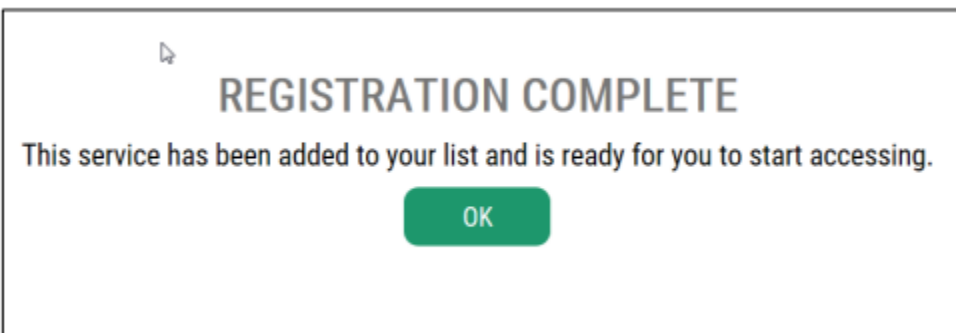
Apply

Air Quality Application Portal Development

AIR QUALITY APPLICATION PORTAL ▮ TEST

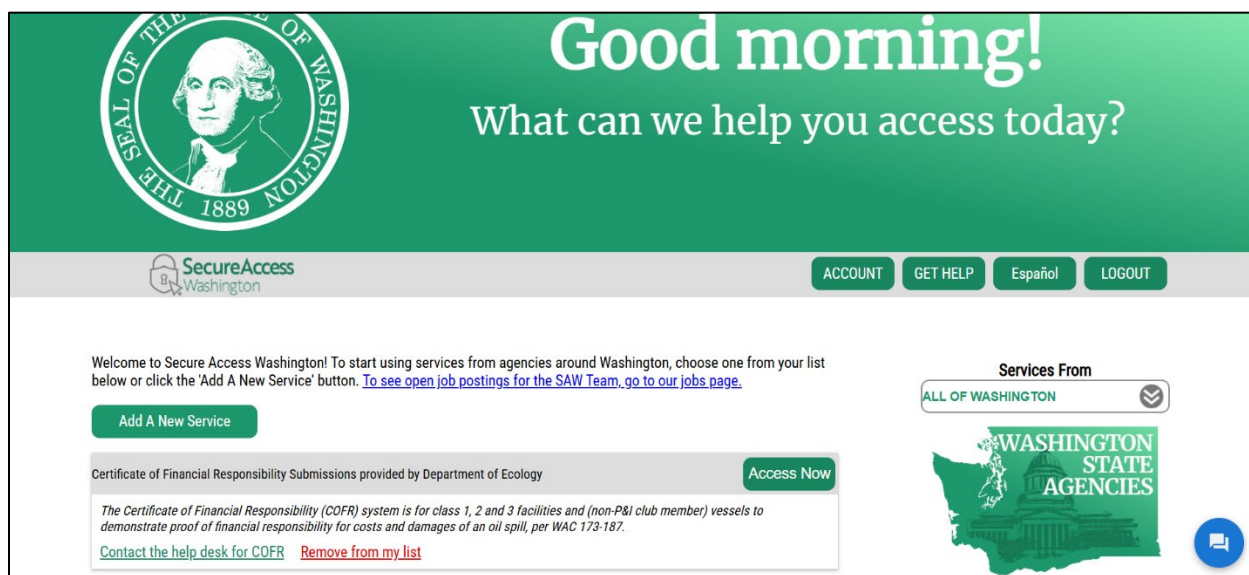
Apply

You will receive the notification below. Click “OK.”



Step 5: Enter your information into the COFR application.

Click “Access Now” to enter the COFR application portal.

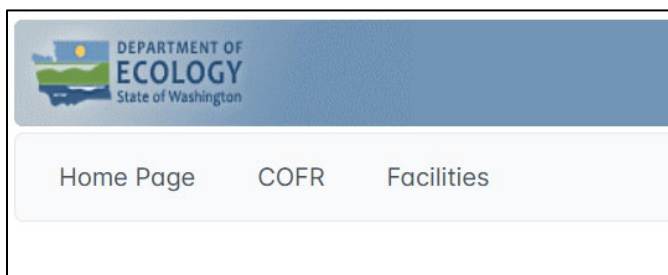


COFR Application Instructions:

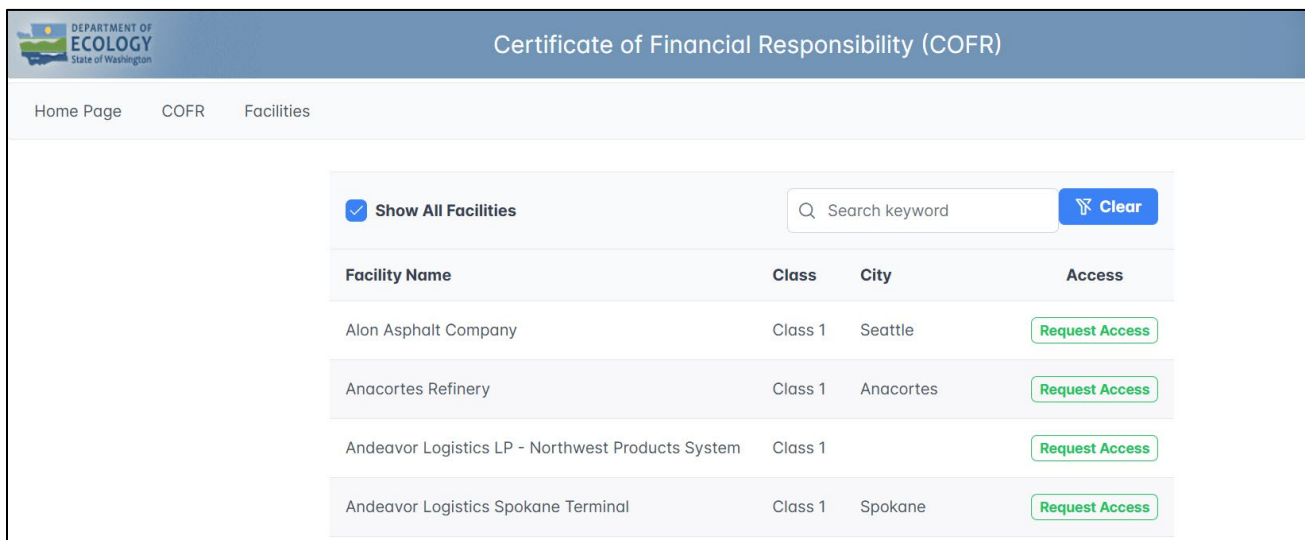
All fields in the application are required. If a question does not apply, answer "not applicable" or "NA." Incomplete applications will not be processed until Ecology receives additional information needed for processing.

1. Request access to your applicable facilities. You will not be able to create a COFR application without access permission to your facility.

- a. From the top menu, select "Facilities."



- b. Select "Show All Facilities." For all applicable facilities, select "Request Access." All access requests will be reviewed by Ecology COFR staff. If you already have access to a facility, the access column will show as "Member." You will need to check back to the Facilities tab to see if your permissions request has been approved. If your request has remained in "pending" status for longer than two business days, please reach out directly to COFR@ecy.wa.gov.



2. Once access permission for a facility(ies) has been granted, navigate to “COFR” from the top menu.



- a. Select “New COFR” to begin your application. If previous applications had been started or submitted, they will be listed here.

3. **General COFR Info.**

- a. This page must be completed by all applicants. Create a name for your application. This can include identifying information such as the facility or company name. Save and navigate to the next page.

A screenshot of the "General COFR Info" form. The form has a title "General COFR Info" and a "History" button. Below the title is a "Description" label and a text input field with the placeholder text "Enter the facility or company name for the COFR document." At the bottom of the form are three buttons: "< Previous", "Save" (with a save icon), and "Next >".

4. **Facilities.**

- a. From the drop-down menu, select the facility(ies) for which you are submitting an application. You may select all your organization’s facilities or one or a portion of them. If you select a portion of your facilities, you will be required to submit an additional application for the other facility(ies) and provide proof of financial responsibility for them.
 - b. If you have not previously requested access to a facility, you will be unable to proceed further.
 - c. Click “add” to add the facility to the application list. Save and navigate to the next page.

A screenshot of the "Facilities" form. The form has a title "Facilities" and a "History" button. Below the title is a drop-down menu. To the right of the drop-down menu is a "+ Add" button. Below these is a table with four columns: "Class", "Facility Name", "City", and "Remove". The table is currently empty, and below it is the text "No facilities associated with COFR submittal." At the bottom of the form are three buttons: "< Previous", "Save" (with a save icon), and "Next >".

5. **Contact Info.**

- a. All fields are required. If a question does not apply, answer "not applicable" or "NA."
- b. Fill in contact information for the application. "Submitter" contact information should be for the individual submitting the application. "Responsible Party" information should be for the individual with the authority to sign the COFR application, usually the binding agreement signator as identified in your contingency plan. Save and navigate to the next page.
 - i. If the Submitter is different than the Responsible Party, then the COFR application **must** include a Delegation of Authority Form from the Responsible Party.
 - ii. Contact information on this page should match the contact information listed in the Attestation Form and Delegation of Authority Form (if applicable).

Contact Info

History

Submitter

First Name

Last Name

Email

Phone

Position

Street Address

Mailing Address

City

State/Province

Postal Code

Responsible Party

☒ Same as Submitter?

First Name

Last Name

Email

Phone

Position

Street Address

Mailing Address

City

State/Province

Postal Code

< Previous

Save

Next >


6. Financial Responsibility

- a. The application will automatically calculate the amount of required financial responsibility based on the documented worst-case spill volume for each facility. If there are multiple facilities in the application, you only need to select one worst-case spill volume. You will be required to select the highest worst-case spill volume if there is a variance in the calculated financial responsibility across facilities. Click the green button next to the facility to select the financial responsibility amount. The application will show how the financial responsibility amount is calculated.

Financial Responsibility History

Financial Responsibility Calculation - : Max-

Class	Facility	Planning Standard	Worst Case Spill Volume (WCSV)	Rate	Multiplier	Financial Responsibility	Use WCSV
No facilities associated with COFR submittal.							

COFR Financial Responsibility Select  from options above.

Worst case spill volume (bbbls)

Rate

Multiplier

- b. Select which proof of financial responsibility, or combination of proofs, will be demonstrated in the application. Save and navigate to the next page.

Financial Responsibility Type

Select all that apply:

Insurance

Surety Bond

Guarantee

Self-Insurance

Letter of Credit

Certificate of Deposit

Other State Certificate

Other

< Previous

Save

Next >

7. Supporting Documentation

- Upload all required documentation to support your proof of financial responsibility. Select “browse” to choose your file(s). Fill out the “description” field to help identify the document and select a “document type” from the drop-down menu.
- If you upload a document by mistake, you can delete the document from the application at any point until the application is in review by Ecology. **IMPORTANT:** Documents are permanently locked and cannot be edited/removed once an application is in in-work status.
- Failure to include all required documentation will result in an incomplete application.
- Large files may take several minutes to upload to your application.

Supporting Documents

History

File Name	File Description	Document Type	Uploaded Date	Download	Remove
No Supporting Documents Found.					

+ Browse× Cancel

Attestation.pdf Pending

Description:

Document Type: Upload

< PreviousSaveNext >

Standardized forms are available on the Ecology COFR webpage for most financial responsibility methods. Facility or vessel owners or operators are strongly encouraged to use these standard forms. If alternate forms are used, the information they provide **must** fulfill all requirements of 173-187 WAC. Documentation of proof of financial responsibility must be attached to the application.

These are the acceptable methods of proving financial responsibility:

- Insurance (ECY form 070-752)
- Surety Bond (ECY form 070-754)
- Guarantee (ECY form 070-757)
- Letter of Credit (ECY form 070-756)
- Self-Insurance/Chief Financial Officer Letter Agreement – additionally, must include: backup calculations and 10K as filed with the SEC or audited annual financial statements (ECY form 070-755)
- Certificate of Deposit Agreement (ECY 070-771)
- Certificate from Another State (ECY 070-770)
- Other proof of financial responsibility documentation that is acceptable to Ecology

NOTE: Use of self-insurance requires quarterly submission of Form 10Q within two calendar months after the quarter ends, including affidavits attesting that the amounts of assets located in the United States are equal to the applicable amount required AND annual submission of Form 10K within four calendar months after the applicant's fiscal year ends, including affidavits attesting that the amounts of assets located in the United States are equal to the applicable amount required. If Form 10Q and 10K are not available, quarterly and annual audited financial statements may be submitted.

If a Surety Bond, Guarantee, Letter of Credit, or Certificate of Deposit is used to prove financial responsibility, the applicant **must** establish a standby trust fund. The Standby Trust Agreement Form (ECY form 070-753) that is available on Ecology's COFR webpage may be used. The applicant (Grantor) and the trustee must sign the agreement, which must be witnessed. The witness must also sign the agreement. A completed Standby Trust Agreement must be attached to the Washington COFR application.

If a Guarantee is used to prove financial responsibility, the Guarantor **must** provide self-insurance backup calculations and provide forms 10K and 10Q as filed with the SEC or audited annual and quarterly financial statements. These documents must be attached to the Washington COFR application. The Chief Financial Officer Letter Agreement Form (ECY form 070-755) may be used.

If the Submitter is different than the Responsible Party, then the COFR application **must** include a Delegation of Authority Form from the Responsible Party.

8. Summary

- a. You will be able complete a final review of your information prior to submitting the COFR application. Missing information will be indicated by a red box. All required information or documents must be added to your application before you will be able to submit.

Summary

History

Description

Contact Data

Submitter

First Name:

Jane

Last Name:

Doe

Email:

placeholder@email.com

Phone:

1234567890

Position:

Vice President

Street Address:

1234 St

Mailing Address:

1234 St

City:

City

State/Province:

WA

Postal Code:

12345

Submitter is the same as Responsible Party

Covered Facilities

COFR document must include at least 1 covered facility.

Financial Responsibility

Financial Responsibility:

Financial Responsibility Type:

Letter of Credit

Documents

File Name	Description	Document Type
	Attestation is required	
	Letter of Credit is required	
	Standby Trust is required	

< Previous

Submit

- b. Once the application has all necessary information and you have reviewed your application details, read the attestation statement, click the acknowledgement box and click **submit**.

Checking COFR Status

You can view the current status of your application at any time, either by clicking the “history” button from the list of COFR applications in the COFR tab, or by clicking the blue “history” button in the upper right hand of the screen when viewing your application.

The status of your application will indicate when your application has been submitted, when it is under review / in-work by Ecology staff, when it is approved, or if it has been returned due to incomplete or missing information.

If your COFR application is returned due to incomplete or missing information, the submitter will receive an email that includes a description of the additional information that is required. The responsible party, if different than the submitter, will be copied in on the email. Gather the required information and open the COFR application. You will be able to edit the application and resubmit information as needed.

Communications about the status of your application will come from the COFR Unit Team email address, COFR@ecy.wa.gov.

Questions

If you have any questions about the COFR application process, please contact the Financial Responsibility Unit Team at COFR@ecy.wa.gov, or the Financial Responsibility Unit Supervisor, Diana Davis, at Diana.Davis@ECY.WA.GOV.